

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**PAUL O. PRICE,**

**Plaintiff,**

**v.**

**Case No. 18-CV-1059**

**RANDY GOODCHILD, et al.,**

**Defendants.**

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**DECISION AND ORDER DENYING DEFENDANTS'  
MOTION FOR SUMMARY JUDGMENT**

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On January 9, 2019, Paul O. Price filed an amended complaint against his former employer, Erickson Ambulance, LLC, as well as various employees of Erickson. (Docket # 23.) Price alleges that he was discriminated against based on his race. Price is proceeding *pro se*. The defendants have filed a motion for summary judgment. (Docket # 25.) Under the Local Rules for the Eastern District of Wisconsin, any motion for summary judgment filed by a party opposing a *pro se* litigant must comply with the following procedure:

(A) The motion must include a short and plain statement that any factual assertion in the movant's affidavit, declaration, or other admissible documentary evidence will be accepted by the Court as being true unless the party unrepresented by counsel submits the party's own affidavit, declaration, or other admissible documentary evidence contradicting the factual assertion.

(B) In addition to the statement required by Civil L. R. 56(a)(1)(A), the text to Fed. R. Civ. P. 56 (c),(d), and (e), Civil L. R. 56(a), Civil L. R. 56(b), and Civil L. R. 7 must be part of the motion.

Civil L.R. 56(a)(1) (E.D. Wis.). I do not see that the defendants complied with Civil L.R. 56(a)(1).

Thus, their motion for summary judgment will be denied with leave to re-file the motion, properly complying with the Local Rules.

**ORDER**

**NOW, THEREFORE, IT IS ORDERED** that the defendants' motion for summary judgment (Docket # 25) is hereby **DENIED**. The defendants are granted leave to re-file their motion properly complying with the Local Rules.

Dated at Milwaukee, Wisconsin this 28<sup>th</sup> day of February, 2019.

BY THE COURT

*s/ Nancy Joseph*  
NANCY JOSEPH  
United States Magistrate Judge